

March 1, 2007

**Public Notice for Water Quality Certification and/or Waste
Discharge Requirements (Dredge/Fill Projects)**

Coast Seafoods Company – Continued Mariculture Operations in Humboldt Bay
WDID No. 1B01140WNHU
Humboldt County

On January 16, 2007, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Greg Dale, representing Coast Seafoods Company (Coast), requesting Federal Clean Water Act, Section 401, Water Quality Certification (Certification) to continue shellfish mariculture operations in Humboldt Bay, Humboldt County. The Regional Water Board had previously issued Certification to Coast on April 25, 2002; that Certification is due to expire on April 25, 2007. Coast requested that the Regional Water Board re-issue Water Quality Certification for another five-year period. The proposed operations will cause disturbances to waters of the United States associated with Humboldt Bay in the Eureka Plain Hydrologic Unit No. 110.00.

Coast has been growing and harvesting shellfish in the northern portion of Humboldt Bay (also known as Arcata Bay) since the early 1950s. Coast currently owns and leases approximately 3,950 acres in Arcata Bay. Coast historically utilized as much as 1,000 acres of tidelands for its bottom culture shellfish growing operations. Bottom culture methods involve growing oysters directly on the bottom of the bay and harvesting oysters with an oyster dredge. In the 1990s, at the request of various regulatory agencies, Coast began converting to off-bottom culture methods, primarily long-line culture of Pacific and Kumamoto oysters.

Coast's previously permitted mariculture operations included an operation footprint of approximately 500 acres. The proposed operations include an additional reduction of the operational footprint to a maximum of 300 acres that can be used for shellfish production at any one time. Coast's proposed operations include approximately 284 acres of long-line culture, approximately 11 acres of rack-and-bag culture, slightly less than 5 acres of nursery areas, and less than 0.10 acre for the floating upwelling systems and wet storage floats. Coast has terminated all bottom culture operations and any remaining bottom culture areas shall lie fallow unless the beds are converted to off-bottom culture methods and are included in the 300-acre operational footprint.

The long-line culture method involves hanging seeded long-lines on notched stakes that are arranged in rows on the mudflats. Long-line culture utilizes oyster cultch with oyster spat attached (collectively referred to as oyster seed). The oyster seed is prepared at Coast's hatchery in Quilcene, Washington and trucked to Humboldt Bay. Coast stacks bags of oyster seed on wood pallets in the nursery area on Gunther Island. The bags are stacked on pallets to prevent the bottom bags from silting in which suffocates the seed. After a few months in the nursery area, seed bags are collected and brought to Coast's processing plant where individual pieces of seed are braided into ropes and the ropes are bagged. The bags of long-lines are either placed on a bed or in the Arcata Channel nursery area to await planting. The notched stakes are typically made of 0.75-inch diameter PVC pipe and the long-lines hang approximately 1 foot above the bottom of the mudflats. Spacing of long-lines varies but most beds have five long lines spaced approximately 2.5 feet apart with ten-foot spacing between each group of five lines. Coast estimates that approximately 1,680 stakes are used per acre of long-line bed. With approximately 285 acres planted with long-lines, the total area of the bay floor that would be covered by the ends of all the long-line stakes is less than 0.04 acre. The proposed project is not expected to result in any increase in the area of permanent impact to waters of the United States compared to current and past operations.

Compensatory mitigation is not required for the continued mariculture operations Arcata Bay; however, Coast will comply with operational conditions and mitigation measures required by regulatory agency approvals including the following:

- Coast will submit an annual report to the Harbor District describing the status of each bed.
- Coast will avoid vessel contact with the bay bottom, where feasible.
- Coast will avoid potential impacts to eelgrass due to shading by not anchoring vessels in such a way as to shade the same area of eelgrass for more than 12 hours.
- Coast will not discharge feed, pesticides, antibiotics, or hormones into marine waters.
- Coast will not intentionally deposit shells onto the bay floor.
- During December, January, and February, Coast will visually survey beds prior to harvesting and/or planting to determine whether herring have spawned on the eelgrass, oyster culture materials, or substrate. Coast will postpone for two weeks any harvesting or planting activities on beds where herring spawning has occurred.
- Coast will not engage in any dredging, hydraulic harvesting, bed cleaning, or any other activities with a hydraulic harvester.
- Coast will not initiate any new bottom culture.
- Coast has removed all bat ray fencing on its owned or leased tidelands and will not construct any new bat ray fencing.

The information contained in this public notice is only a summary of Coast's proposed operations for continuing mariculture activities in Arcata Bay. The application for Water Quality Certification and the Regional Water Board's file contains a significant amount of additional detail about Coast's operations. The application and Regional Water Board file is available for public review.

The Humboldt Bay Harbor, Recreation and Conservation District (District), as the lead agency for California Environmental Quality Act compliance, has prepared a Draft Mitigated Negative Declaration (MND) for Continued Mariculture Operations in Humboldt Bay (January 2007). The MND has been submitted to the State Clearinghouse (SCH# 1999062069) and is available for public review during the period of February 5, 2007 through March 6, 2007. Any public comments regarding the MND should be submitted to the lead agency during the review period.

Regional Water Board staff are proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act authority. In addition, staff will consider all comments submitted in writing and received at this office by regular mail during a 21-day comment period that begins on the first date of issuance of this letter and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact staff member Dean Prat at (707) 576-2801 within 21 days of the posting of this notice.